

AMENDMENT TRANSMITTAL LETTER (Large Entity)

Applicant(s): Fukuzato

Docket No.

05030020AA

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|-------------|-----------|--------------|----------------|------------------|
| 10/003,384 | 12/06/2001 | J. Contee | 30743 | 2686 | 5355 |

~~BACKUP METHOD OF APPLICATIONS OF PORTABLE CELLULAR PHONE~~



COMMISSIONER FOR PATENTS:

/ and response to Notice of Non-Compliant Amendment

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
|---|-------------------------------------|-----------------------------|--------------------------------|---|-------------------|
| TOTAL CLAIMS | 9 - | 20 = | 0 | x \$50.00 | \$0.00 |
| INDEP. CLAIMS | 1 - | 3 = | 0 | x \$200.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) | <input type="checkbox"/> | | | | \$0.00 |
| | | | | TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | \$0.00 |

- No additional fee is required for amendment.
 - Please charge Deposit Account No. _____ in the amount of _____.
 - A check in the amount of _____ to cover the filing fee is enclosed.
 - The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account **50-2041**
 - Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.
 - Payment by credit card. Form PTO-2038.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

C. Lamont Whitham

Reg. No. 22,424

Whitham, Curtis & Christofferson, P.C.
11491 Sunset Hills Road, Suite 340
Reston, VA 20190
(703) 787-9400

Dated: November 1, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

N01311US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of Docket No. 05030020AA
Atsushi Fukuzato
Serial No.: 10/003,384 Group Art Unit No. 2686
Filed: December 6, 2001 Examiner: Joy Kimberly Contee
For: BACKUP METHOD OF APPLICATIONS Confirmation No. 5355
OF PORTABLE CELLUAR PHONE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT AND
RE-SUBMISSION OF AMENDMENT UNDER 37 C.F.R. §1.111**

Sir:

A response to the office action of July 13, 2005 was filed in the USPTO on October 4, 2005. A Notice of Non-Compliant Amendment was mailed October 14, 2005; however, the Notice of Non-Compliant Amendment failed to identify any defect with the amendment filed October 4, 2005.

A facsimile letter withdrawing the notice of Non-Compliant Amendment was sent to the undersigned on October 19, 2005 together with a revised notice of Non-Compliant Amendment which identifies claim 9 as being incomplete.

The undersigned has carefully reviewed the amendment filed October 4, 2005, and notes that, as filed, claim 9 was complete (contrary to the second notice of Non-Compliant Amendment). However, the undersigned did not change the status indication from "original" to "currently amended" for claims 5-8.

Therefore, this response re-submits the amendments filed October 4, 2005, together with a revised status indication for claims 5-8. This re-submission presents no new arguments or claim revisions, and should satisfy both the requirement to respond to the notice of Non-Compliant Amendment, and the requirement to respond

to the office action dated July 13, 2005. It is believed that no extension of time is required to gain entry and consideration of this response; however should any extensions be required, provisional petition therefore is hereby made, and the commissioner is authorized to charge attorney's deposit account 50-2041 (Whitham, Curtis & Christofferson).

A copy of the notice of Non-Compliant Amendment, and attachments thereto, is hereby attached to this response for purposes of clarification.

In response to the Office Action mailed July 13, 2005, please amend the above-identified application as provided herein.

Amendments to the Specification: Amendments to the specification to the begin at page 3 this paper.

Amendments to the Claims: The listing of the claims begins at page 4 of this paper.

Amendments to the Drawings: There are no amendments to the drawings in this paper.

Remarks: The "Remarks" section begins at page 6 of this paper.